

## **REMARKS**

Claims 1-3, 5-16, 18-28, 30-41, and 43-52 are pending in the present application. Claims 4, 17, 29, and 42 were canceled. Claims 1, 14, 26, 39, 51, and 52 were amended. Reconsideration of the claims is respectfully requested.

### **I. Telephone Interview with Examiner Barqadle on July 14, 2005**

Applicants thank Examiner Barqadle for the courtesy extended to applicants' representative during the July 14, 2005 telephone interview. During the interview, the examiner and applicants' representative discussed the after final amendment filed on June 28, 2005. The examiner stated that the claim amendments would not be entered because the claim amendments introduced new matter, which would require a new search. However, the examiner did indicate during the teleconference that the "service agreement" limitation incorporated into the independent claims from canceled dependent claims may overcome the cited prior art reference. Therefore, it is applicants' representative's understanding that barring additional materially relevant prior art being found in an updated search by the examiner, the present claims are now in condition for allowance.

### **II. Amendments**

Applicants have amended Claims 1, 14, 26, 39, 51, and 52 to further clarify that the subscription computing service is based on subscription computing information found in a service agreement, which identifies services to be provided to a subscriber. This limitation of "services to be provided to the subscriber are identified in a service agreement" does not constitute new matter, as it is supported by applicants' specification. For example, the specification on page 9, lines 16-25 reads as follows:

In an alternative embodiment, rather than requiring a human operator to initiate the performance of subscription computing services, the present invention may be performed in an automatic manner. That is, the subscription computing services provider may determine that a particular subscription computing service must be performed at a particular time based on a service agreement between the subscription computing service provider and the subscriber. Based on this service agreement, the subscription computing services provider automatically issues a request to

the client devices **108, 110 and 112**, and storage device **106** to acquire system operating information and the operation proceeds as described above. In this way, the need for a human operator is eliminated.

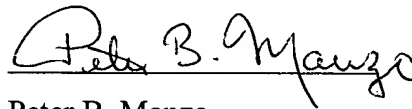
### **III. Conclusion**

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: August 5, 2005

Respectfully submitted,

A handwritten signature in cursive script, reading "Peter B. Manzo", written over a horizontal line.

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